Remarks/Arguments

Amendments to Claim 2

Claim 2 was amended to recite: a base ring with a core of elastically deformable material; a cross-section of the core comprising a center portion with at least one wing section extending from said center portion; each wing section comprising first and second planar surfaces parallel to a ring plane and extending directly from said center section; and completely covering the base ring. These limitations are shown in Figures 1 and 2. Therefore, no new matter has been added.

The Rejection of Claims 2, 5, 9, 13, 15, and 17 Under 35 U.S.C. §102(b)

The Examiner rejected Claims 2, 5, 9, 13, 15, and 17 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 2,859,061 (Reid). Applicants traverse the rejection as follows.

Anticipation requires that all of the elements of the claim be taught within the four corners of a single reference.

Reid does not disclose a base ring with a core shaped as recited in Claim 2

Amended Claim 2 recites: "... wherein said base ring (2) comprises a core of elastically deformable material (6), wherein a cross-section of said core comprises a center portion with at least one wing section extending from said center portion, wherein each said wing section comprises first and second planar surfaces parallel to a ring plane and extending directly from said center section ..." Reid only teaches a smooth/regular cross-section, without any winged sections, for his deformable material 2. For example, Figures 2-16 and 18 of Reid show a core with a circular cross-section and no wing sections or surfaces parallel to a ring plane. Likewise, Figures 17 and 19-23 show cores with smooth/ovoid cross-sections and no wing sections or surfaces parallel to a ring plane. It is clear from the specification and figures in Reid that the configuration recited in Claim 2 would be contrary to Reid's design and unworkable with his design. For example, extensions from the circular cross-sections in Figures 2-6 would interfere with the desired gasket shape for the sealing ring.

Reid does not teach all the elements of amended Claim 2. Therefore, Reid does not anticipate Claim 2. Claims 5, 9, 13, 15, and 17, dependent from Claim 2, also are novel with respect to Reid. Applicants courteously request that the rejection be removed.

The Rejection of Claims 2, 3, 5, 7, 17, and 19 Under 35 U.S.C. §102(b)

The Examiner rejected Claims 2, 3, 5, 7, 17, and 19 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 3,215,442 (Papenguth). Applicants traverse the rejection as follows.

Papenguth does not fully cover a base ring

Claim 2 recites: "... the at least one protective layer (4) completely covers the base ring (2)..." Assuming *arguendo* that lips 24 and 25 of Papenguth are analogous to the protective layer recited in Claim 2, these lips only partially cover sealing member 10. For example, in all of the figures in Papenguth, at least a portion of the compressible material 12 in member 10 is exposed, that is, not covered by lips 24 or 25 or any other part of material 11.

Papenguth does not teach all the elements of amended Claim 2. Therefore, Papenguth does not anticipate Claim 2. Claims 3, 5, 7, 17, and 19, dependent from Claim 2, also are novel with respect to Papenguth. Applicants courteously request that the rejection be removed.

The Rejection of Claims 2-5, 7-9, 11-13, and 15 Under 35 U.S.C. §103(a)

The Examiner rejected Claims 2-5, 7-9, 11-13, and 15 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 3,531,133 (Sheesley) in view of United States Patent No. 2,580,546 (Hobson). Applicants traverse the rejection as follows.

Sheesley does not disclose a base ring with a core shaped as recited in Claim 2

Amended Claim 2 recites: "... wherein said base ring (2) comprises a core of elastically deformable material (6), wherein a cross-section of said core comprises a center portion with at least one wing section extending from said center portion, wherein each said wing section comprises first and second planar surfaces parallel to a ring plane and *extending directly from said center section* ..." (emphasis added). Sheesley teaches cores with multiple sections having

a plurality of arcuate shapes in cross-section. For example, in Figures 1 and 2, Sheesley teaches that the outer surfaces of the seal material are undulating and form valleys 25. (col. 2, lines 71 to col. 3, line 5). In this section, Sheesley further teaches that the valleys are used to receive material that flows from the crown. That is, the valleys are in place to enable the function of the seal. These same valleys are seen in Figures 7-15 and separate the central portion of the seals from any portions having surfaces parallel to the plane of the seal. Nor does Sheesley suggest or motivate the core shape recited in Claim 2.

Hobson does not disclose a base ring with a core shaped as recited in Claim 2

Hobson teaches only rectangular cores, a core with multiple circular cross-sections (Figure 9), or a core with a "wavy" cross-section (Figure 8). None of these shapes are similar to the core shape recited in Claim 2. Nor does Hobson suggest or motivate the core shape recited in Claim 2.

Hobson does not teach, suggest, or motivate completely covering the base ring

Claim 2 recites: "... the at least one protective layer (4) completely covers the base ring (2)..." The Examiner has admitted that Sheesley does not teach a protective layer. Assuming *arguendo* that jacket 15 of Hobson is analogous to protective layer (4) recited in Claim 2, Hobson teaches only partially covering the gasket or base ring. In col. 3, lines 19 and 20, Hobson teaches "..inert material which surrounds a gasket made of any suitable material..." In this excerpt, Hobson does not teach whether the inert material completely or partially surrounds the gasket material. Because of this lack of specificity, the remainder of the patent must be examined for further teachings.

In the remainder of the specification and drawings, Hobson teaches that the inert material only partially surrounds the gasket material. For example, in each of Figures 1-10, the gasket is only partially surrounded by outer jacket 15. For example, in Figure 2, portions of ring 10 and sheath 11 are exposed (not covered by jacket 15) and in Figures 3 and 4, portions of ring 10 are exposed (not covered by jacket 15).

Hobson teaches that the protective layer is only necessary on the inner periphery of his gasket. For example, Hobson teaches a U-shaped gasket 15 on inner periphery 14 (col. 1, lines

27-35). Hobson also teaches that the coating is to protect the gasket from substances inside the piping, that is, the coating is not needed on the outer periphery. (col. 3, lines 22-26). Hobson again teaches a U-shaped coating and the restriction of the coating to the inner periphery in col. 4, lines 52-64.

Nor does Hobson suggest or motivate completely covering the base ring. To do so would unnecessarily (according to Hobson's own teachings) increase the cost and complexity of Hobson's gasket. For example, Hobson teaches the use of tape for the coating. Using tape to completely cover the gasket would undesirably require further steps to avoid overlaps and differences in thickness for the coating (Hobson cites this problem in col. 4, line 73 to col. 5, line 1). For example, separate sections of tape would be needed for the inner and outer peripheries and the above-mentioned overlap would occur at the interface of these tape sections.

Hobson does not teach, suggest, or motivate covering Sheesley's gasket

In the reply of July 27, 2005, Applicants provided arguments as to why Hobson does not motivate covering Sheesley's gasket material, why Sheesley teaches against covering a gasket material, and how the Examiner applied impermissible hindsight. For the sake of brevity, these arguments are reaffirmed, but not repeated.

In the Response to Arguments, the Examiner cited the following excerpt from Hobson: "a gasket made of any suitable material and having any desired construction.. " (Col. 3, lines 20-22). This generalized statement does not provide motivation to cover Sheesley's gasket material. As noted *supra*, Sheesley has clearly stated that he is unconcerned with exposure of the gasket material and that he has included measures in his design to counteract deterioration of the material. To cover, even partially, the gasket material would cause Sheesley to completely change his design and would increase the cost and complexity of producing his gasket. The disadvantages associated with increasing cost and complexity would clearly override the vague assertions made by Hobson regarding a protective layer.

Assuming *arguendo* that Hobson's teachings were applicable to Sheesley, which they are not, Applicants have shown that Hobson only teaches, suggests, or motivates partially coating the gasket material.

Hobson and Sheesley fail to teach, suggest, or motivate all the elements of Claim 2. Therefore, Claim 2 is patentable over Hobson and Sheesley. Claims 3-5, 7-9, 11-13, and 15, dependent from Claim 2, enjoy the same distinction with respect to the cited references. Applicants courteously request that the rejection be removed.

Rejection of Claims 3, 4, 7, 8, 11, 12, 19, and 20 under 35 U.S.C. §103(a)

The Examiner rejected Claims 3, 4, 7, 8, 11, 12, 19, and 20 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 2,859,061 (Reid).

Applicants have shown that Claim 2 is novel with respect to Reid, specifically, that Reid does not teach a base ring with a core as recited in Claim 2. Reid also fails to suggest or motivate the base ring core of Claim 2. Therefore, Reid fails to teach, suggest, or motivate all the elements of Claim 2 and Claim 2 is patentable over Reid. Claims 3, 4, 7, 8, 11, 12, 19, and 20, dependent from Claim 2, enjoy the same distinction with respect to Reid. Applicants courteously request that the rejection be removed.

Rejection of Claims 4, 8, 9, 11, 12, and 20 under 35 U.S.C. §103(a)

The Examiner rejected Claims 4, 8, 9, 11, 12, and 20 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 3,215,442 (Papenguth).

Applicants have shown that Claim 2 is novel with respect to Papenguth, specifically, that Papenguth does not teach a protective layer completely covering the base ring. Papenguth also fails to suggest or motivate a protective layer completely covering the base ring. Therefore, Papenguth fails to teach, suggest, or motivate all the elements of Claim 2 and Claim 2 is patentable over Papenguth. Claims 4, 8, 9, 11, 12, and 20, dependent from Claim 2, enjoy the same distinction with respect to Papenguth. Applicants courteously request that the rejection be removed.

Conclusion

Applicant respectfully submits that the present application is now in condition for examination on the merits, which action is courteously requested. The Examiner is invited and encouraged to contact the undersigned agent of record if such contact will facilitate an efficient examination and allowance of the application.

Respectfully submitted,

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CPM/
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